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Attorneys for Plaintiff
DONALD LOUNIBOS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONALD LOUNIBOS, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

KEYPOINT GOVERNMENT
SOLUTIONS, INC., a Delaware
Corporation, and Does 1-10, inclusive,

Defendants.

Case No. 12-CV-0636 (JST)

**STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING PLAINTIFF'S DEADLINE
TO FILE NEW MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Assigned to Honorable Jon S. Tigar
450 Golden Gate Avenue
San Francisco, CA 94102

STIPULATION

The parties hereby stipulate as follows:

WHEREAS, on July 12, 2013, the Court issued an Order Denying Motion for Preliminary Approval of Class Action Settlement (“Order”) (docket number 45). In particular, the Order, stated, “Lounibos’ motion for preliminary approval of the proposed settlement is denied without prejudice. Lounibos may file a new motion for preliminary approval of the proposed settlement that cures each of the deficiencies identified in this Order within sixty days of the date this order is filed. A case management conference will be held on October 2, 2013 at 2:00 p.m.”

WHEREAS, on September 6, 2013, the Court entered an Order continuing Plaintiff’s Deadline to File New Motion for Preliminary Approval of Class Action Settlement. Pursuant to the September 6, 2013, Order, Plaintiff’s current deadline to file a new Motion is October 9, 2013.

WHEREAS, the parties have been working to address the issues and deficiencies in the original proposed settlement, about which the parties have made substantial progress and are close to finalizing a modified agreement, which includes, without limitation, a non-reversionary settlement and a revised class definition. The parties are in the process of finalizing this modified agreement and will be entering into a written Amendment, pursuant to paragraph 15.3 of the original Settlement Agreement, that memorializes these changes; and

WHEREAS, the parties believe they can cure all of the Court’s concerns and present a proposed settlement that will be approved. To this end, the parties request a twenty-one (21) day extension of the current deadline in order to finalize the modified settlement agreement and file a new motion for preliminary approval of class action settlement.

IT IS THEREFORE STIPULATED AND AGREED that Plaintiff shall file a new motion for preliminary approval of class action settlement, which addresses the deficiencies set forth in the Court’s Order, on or before October 30, 2013. The Case Management Conference, which is currently scheduled to take place on November 6, 2013 at 2:00 P.M., shall be continued until December 4, 2012 at 2:00 P.M., or the next available date this is convenient for the Court.

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1 **IT IS SO STIPULATED.**

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3 Date: October 7, 2013

Respectfully submitted,

NORTH BAY LAW GROUP

4
5 By /s/
 David Harris

6 Attorneys for Plaintiffs
7 DONALD LOUNIBOS

8 Date: October 7, 2013

LITTLER MENDELSON, P.C.

9
10 By /s/
 Michelle Heverly

11 Attorneys for Defendants
12 KEYPOINT GOVERNMENT SOLUTIONS, INC.

13 ~~**[PROPOSED]**~~ **ORDER**

14 **IT IS HEREBY ORDERED AS FOLLOWS:**

15 Plaintiff shall file a new motion for preliminary approval of class action settlement on or before
16 October 30, 2013. The Case Management Conference, currently scheduled for November 6, 2013, shall
17 be continued to December 4, 2013, at 2:00 P.M.

18
19 DATED: October 8 , 2013

